

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
November 15, 2024
Virginia Housing Center
4224 Cox Road Glen Allen, Virginia 23060**

Members Present

Mr. James R. Dawson, Chairman
Mr. David V. Hutchins
Ms. Christina Jackson
Mr. Joseph Kessler
Mr. R. Jonah Margarella
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. James S. Moss
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Ms. Elizabeth White

Members Absent

Mr. Vince Butler
Mr. Daniel Crigler
Mr. Alan D. Givens
Mr. Aaron Zdinak, PE

Call to Order The meeting of the State Building Code Technical Review Board (“Review Board”) was called to order at approximately 10:00 a.m. by Chair Dawson.

Roll Call The roll was called by Mr. Luter and a quorum was present. Mr. Justin I. Bell, legal counsel for the Review Board from the Attorney General’s Office, was also present.

Approval of Minutes The draft minutes of the October 18, 2024 meeting in the Review Board members’ agenda package were considered. Mr. Mays moved to approve the minutes as presented. The motion was seconded by Mr. Moss and passed with Mr. Margarella and Mses. Jackson and White abstaining.

The draft minutes of the November 1, 2024 meeting in the Review Board members’ agenda package were considered. Mr. Mays moved to approve the minutes as presented. The motion was seconded by Mr. Moss and passed unanimously.

Final Order Susan Frazier: Appeal No. 24-02:

After review and consideration of the final order presented in the Review Board members’ agenda package, Ms. Monday moved to approve the final order with two editorial corrections as follows:

- On page 21 strike the second *that* in line 106 and delete the comma in *POA* in line 119

**State Building Code Technical Review Board
November 15, 2024 Minutes - Page 2**

The motion was seconded by Mr. Moss and passed with Mr. Pharr abstaining.

Public Comment

Chair Dawson opened the meeting for public comment. Mr. Luter advised that no one had signed up to speak. With no one coming forward, Chair Dawson closed the public comment period.

New Business

RVA Home LLC: Appeal No. 24-08:

A hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 1321 Porter Street in the City of Richmond.

The following persons were sworn in and given an opportunity to present testimony:

Sophia Oliveri, owner of RVA Home LLC
David Alley, Building Commissioner for the City of Richmond
Rick Paul, City of Richmond Building Commissioner staff

Also present was:

Greg Lukanuski, Attorney for City of Richmond

After testimony concluded, Chair Dawson closed the hearing and stated a decision from the Review Board members would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and, when approved, would be distributed to the parties, and would contain a statement of further right of appeal.

Decision: RVA Home LLC: Appeal No. 24-08:

After deliberations, Mr. Mays moved that the appeal was moot because a new decision was made seven days after the LBBCA decision. The motion did not receive a second.

After further deliberations, Mr. Mays moved that the NOV was moot because on April 26, 2024 RVA Home LLC was a responsible party as the property manager for 1321 Porter Street and the NOV was properly issued at that time; however, based on the testimony received at the hearing, as of May 29, 2024 RVA Home LLC was no longer the property manager for 1321 Porter Street; therefore, RVA Home LLC was no longer a responsible party rendering the NOV moot. The motion was seconded by Ms. Jackson. The motion and second were later withdrawn.

**State Building Code Technical Review Board
November 15, 2024 Minutes - Page 3**

After further deliberations, Mr. Mays moved that Sophia Oliveri, representative for RVA Home LLC and property manager of 1321 Porter Street, was properly issued an NOV on April 26, 2024, which was properly appealed to the LBBCA as she was aggrieved by the NOV at the time and was a party to the LBBCA hearing which properly brought the appeal before the Review Board. Mr. Mays further moved that based on the testimony at the hearing and evidence provided, as of May 29, 2024 RVA Home LLC was no longer the property manager for 1321 Porter Street and as of the Review Board hearing, November 15, 2024, was no longer a responsible party; therefore, the NOV was moot and not properly before the board. Mr. Mays further moved to direct the City to rescind the April 26, 2024 RVA Home LLC NOV to create an official record that NOV no longer exists. The motion was seconded by Mr. Pharr and passed unanimously.

Secretary's Report

Mr. Luter pointed the Review Board members to a draft copy of Review Board Policy #32 presented in the Review Board members' agenda package. After a brief discussion, Ms. Jackson moved to adopt Policy #32 with an editorial change to read "*applicable sections of the VCC, VPMC, and VSFPC*" rather than referencing the specific code sections of each code in Items #1 and #2 ensuring the policy could stand as written and be subject to future revisions should the specific code section(s) change. The motion was seconded by Ms. White and passed unanimously.

Mr. Luter presented the Board with the proposed 2025 Review Board meeting calendar, which was reviewed, considered, and approved by the Board.

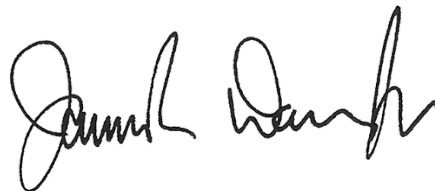
Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for January 17, 2025.

Mr. Bell provided legal updates to the Review Board members.

Adjournment

There being no further business, the meeting was adjourned by proper motion at approximately 1:15 p.m.

Approved: January 17, 2025



Chair, State Building Code Technical Review Board

A handwritten signature in black ink, appearing to read "William J. Smith". The signature is written in a cursive style with large, sweeping letters.

Secretary, State Building Code Technical Review Board